

FILED
UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

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August 28, 2014

U.S. BANKRUPTCY COURT
E.D. MICHIGAN DETROIT

U.S. BANKRUPTCY COURT
E.D. MICHIGAN DETROIT

In re:
City of Detroit, Michigan
Debtor

Chapter 9
Case No. 13-53846
Hon. Steven W. Rhodes

Elaine E. Thayer, (Dkt. #6809)
Representing Ona LaButte & Gregory Penney, Creditors

Order Regarding Participation at the Confirmation Hearing
by Creditors Who Filed Objections Without an Attorney

As a representative for Ona LaButte and Gregory Penney, creditors, without counsel, who filed an objection to the City's plan of adjustment and spoke at the hearing on July 15, 2014, and was granted permission to participate in the Confirmation Hearing, I am submitting revised procedures when presenting evidence at the Confirmation Hearing due to time constraints.

I plan to apply the following procedures when presenting evidence at the confirmation hearing:

- 1) I will speak to my objections without calling on witnesses
- 2) The subject matter of my testimony is as follows
 - a) The affects of Pension and COLA reductions as they apply to x- spouses
 - b) The City's failure to contribute to the Pension System
 - c) The issues surrounding the Annuity Savings Account Fund Recoupment
 - d) Undisclosed information regarding the ASF
 - e) The City's "New General Retirement System Pension" Plan effective July 1, 2014
 - f) The basis used to determine pension earnings
- 3) I anticipate the time to merely read my objections without having to reference any of my supporting documents will fall within the permitted 20 minutes to testify.
- 4) Based on the hearing that I spoke at on July 15, 2014, the issue of EDRO's was not brought up by anyone else in attendance and many of the issues surrounding the ASF recoupment that I plan to address have yet to appear in any documents I have read. I have no way of knowing who else would be speaking or their subject matter so for me to state in a matter-of-fact manner that my proposed evidence will not be duplicative of other evidence is impossible.
- 5) The documents that I will offer into evidence during my testimony will include the following:
 - a) Various quotes from the Notice Regarding Proposed Changes to Pensions in the City's Plan of Adjustment and Your Right To Vote On The Plan
 - b) Referencing various quotes from the Letter From The Official Committee of Retirees to All Retirees

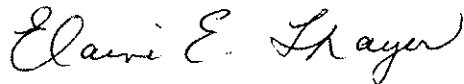
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- c) Referencing information contained in the document sent out by the City of Detroit titled "Making Your Choice for Active Employees The General Retirement System 1973 Defined Benefit/Defined Contribution Plan OR The 1998 Defined Contribution Plan.
- d) Reference to the June 28, 2014 information sent out regarding the calculation of the ASF Recoupment.
- e) Reference an interview with Carole Neville on March 20, 2014 regarding pensions and COLA.
- f) Referencing information contained in the Ballot sent to Gregory M. Penney, retiree
- g) Referencing the statement made by Steven Wojtowicz at the July 15, 2014 hearing
- h) Reference a USA Today article dated May 28, 2014 regarding the ballots sent with errors.
- i) Reference fraud with regard to the ASF recoupments
- j) Reference to the Michigan State Constitution, Section 24
- k) Reference to the questions and answers regarding the "New GRS Pension".
- l) Reference the letter I sent to the major decision makers in the Proposed Plan of Adjustment.
- m) References to the 2005 – 2008 City of Detroit and the Detroit Building and Construction Trades Council Master Agreement.

Along with this revised listing of the subject matter, I am providing two (2) copies of the exhibits to be presented into evidence in my testimony at the Confirmation Hearings.



ELAINE E. THAYER